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Remarks

Claims 1-38 are pending in this application. Claims 22-35 are withdrawn from consideration. Claims 1, 2, 4-8, 10-21, and 36-38 stand rejected. Claims 3 and 9 stand objected to.

Applicants have amended claims 1-2 and 36-38 to more clearly recite the subject matter. Amended claims 1-2 and 36-38 recite that R¹ is "C₁₋₆ straight chained or branched alkyl, or C₂₋₆ straight chained or branched alkenyl or alkynyl." Applicants have also amended the phrase "C₁₋₆ cycloalkyl" to recite "C₃₋₆ cycloalkyl."

Applicants have amended claims 4, 10-18, 20, and 21 to change their dependencies.

Applicants have amended claim 19 to incorporate the compounds of Table 1 in the specification. Support for this amendment can be found in the specification throughout and on pages 11-27.

Applicants have amended claims 5-8 to depend only from claim 1. Applicants have added new claims 41-44, which depend only from claim 2. Applicants have also added new claims 45-49. Support for these amendments can be found in the specification throughout and on page 8, paragraph 0019 to page 11, paragraph 0033.

Pending the allowance of claims 1-21 and 36-38, applicants respectfully request the rejoinder of originally filed claims 22-35, pursuant to MPEP §821.04. In anticipation of said rejoinder, and to expedite prosecution, applicants have amended claims 22, 28, 32, 33, and 35 to change their dependencies. Applicants have also canceled claim 21.

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The Office Action35 U.S.C. §112 Rejection

Claims 1, 2, 4-8, 10-21, and 36-38 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

a) The Examiner contends that the carbon atoms in claims 1-2 and 36-38 are not properly defined. Applicants have amended claims 1-2 and 36-38 to recite that R¹ is "C₁₋₆ straight chained or branched alkyl, or C₂₋₆ straight chained or branched alkenyl or alkynyl." Applicants have also amended the phrase "C₁₋₆ cycloalkyl" to recite "C₃₋₆ cycloalkyl." Accordingly, every group is now properly defined.

b) The Examiner contends that claims 4, 10-18, 20, and 21 are improperly multiply dependent. Applicants have corrected the multiple dependencies.

c) The Examiner contends that claim 19 is unclear because it does not recite what compound what is intended. Applicants have amended claim 19 to incorporate the compounds from Table 1 in the specification.

d) The Examiner has suggested that the phrase "claims 1 or 2" at claims 5-8 should be amended to read "claim 1 or 2." Applicants have amended claims 5-8 to only depend from claim 1. Applicants have added new claims 41-44, which depends from claim 2. These amendments obviate the Examiner's rejection.

For all of the above reasons, applicants request that the Examiner withdraw these § 112, second paragraph rejections.

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Claim Objections

The Examiner has objected to claims 3 and 9 as being dependent upon a rejected base claim. Applicants acknowledge that these claims "would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." In view of their above arguments, applicants submit that claims 3 and 9 depend from allowable claims. Accordingly, applicants request that the Examiner withdraw these objections.

Conclusion

Accordingly, applicants request that the Examiner consider the foregoing remarks, and allow the pending claims to issue.

If the Examiner believes that a telephone discussion would further issuance of this application, the Examiner is invited to call the undersigned attorney or agent at any time.

Respectfully submitted,



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